S.B.CRIMINAL MISC. PETITION NO.1319/2006

Date : 08.08.2007

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Arjun Purohit for the petitioner.

By moving the present criminal misc. petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 07.12.2005 passed by learned Additional Chief Judicial Magistrate, Jaisalmer in Criminal Misc. Case No.121/2005 whereby the application moved by the petitioner under Section 12 of the Contempts of Courts Act, 1971 was rejected.

Heard learned counsel for the petitioner.

After hearing learned counsel for the petitioner, I do not find any reason to admit the misc. petition for the reason that the learned trial court was not persuaded to initiate proceedings against one Dev Kishan Sharma, who at the relevant time was SHO, police Station Jaisalmer. The reasons given in the order impugned dated 07.12.2005 are to the effect that after investigation, police found that no case was made out and Final Report was submitted in the case.

In the above circumstances, the order passed by the learned trial court appears to be legal, just and proper and there appears no exceptional circumstance available for invoking the powers vested in this Court under Section 482 Cr.P.C. The present petition having no merit deserves to be dismissed.

The misc. petition filed by the petitioner stands dismissed summarily.

(SATYA PRAKASH PATHAK), J.